

who blasphemes the Prophet Mohamed is to be sentenced to death. Mr. Bhatti told me that there were many individuals currently being detained in Pakistani jails under the law and he provided me with a list of names. I asked Mr. Bhatti if he thought that the religious persecution act the Congress had passed had any effect on his situation in Pakistan.

He told me that he thought the Act was a useful instrument for the enhancement of interfaith harmony and religious tolerance, not only in Pakistan, but also all over the world. Mr. Bhatti told me that he felt that the U.S. State Department needed to be more focused on persecution in Pakistan in the coming year. Mr. Bhatti said that while he had met with the U.S. Ambassador when he had visited Pakistan and that he had met with the Ambassador again in Washington, he felt that Pakistan should be elevated to a country of special concern in the State Department's annual report. Mr. Bhatti felt that Islamic militants inside Pakistan were pressuring the government to be even less tolerant of religious minorities. Mr. Bhatti told me that he had received telephonic threats at his home and that vandals had done property damage to his office. He told me that he had a meeting with General Musharraf to discuss religious tolerance and while the General seemed to be genuinely concerned about the plight of the religious minorities, he told Mr. Bhatti that he had to deal with a constituency, which did not share his tolerant views.

After my discussion with Mr. Bhatti I called the Foreign Secretary to discuss the plight of the religious minorities and the detention of certain individuals under the blasphemy law. The Foreign Secretary told me that he would look into the matter and I told him I would send him a list of those imprisoned because of their religion which Mr. Bhatti provided me.

We departed Islamabad and arrived into Istanbul on the night of January 8. The next morning we had a working breakfast with the Ambassador, his wife, Station Chief and the regional head of the DEA. Our discussions at breakfast covered a wide range of issues from resolution of Turkey's long-standing conflict with Cyprus, Syrian-Turkish relations, Turkey's entry into the European Union, and the strong political and military ties between Turkey and the United States.

After departing Istanbul, we traveled to Mons, Belgium to meet with General Ralston, the Supreme Allied Commander of all NATO forces in Europe. General Ralston and I discussed the United States' proposed National Missile Defense System and the views our European allies had of that plan. General Ralston told me that he felt that the European's felt vulnerable to strategic missile attack under the U.S.

plan which just proposed to protect the United States. We discussed the standalone European Defense force in addition to NATO. General Ralston had high praise for NATO's new members, Czech Republic, Poland and Hungary and in fact was headed to the Czech Republic that afternoon.

General Ralston told me that his forces were ready, willing and able to assist the International Criminal Tribunal for the former Yugoslavia (ICTY) in effectuating the arrest and return to The Hague of persons indicted for war crimes as soon as his political leadership instructed him to do so.

After our meeting with General Ralston, we traveled to The Hague to meet with the Chief Prosecutor of the ICTY, Carla del Ponte, and some of her staff. She expressed her strong sentiment to me that Slobodan Milosevic must be returned to The Hague for trial at the ICTY before standing trial in Belgrade. Madam del Ponte felt very strongly about Milosevic being brought to trial in Belgrade for a number of reasons. First of all, she said, the ICTY had a clear mandate and enjoyed primacy over domestic courts—this was a Security Council mandate. Secondly, she expressed her fear that the Milosevic regime would still retain some power—even behind the scenes—for a long time; Further, she stressed that The Federal Republic of Yugoslavia must first establish its credibility before it takes on the daunting task of judging a former President. She said that the whole basis of the ICTY was to tackle those difficult, painful cases for which domestic courts are ill-equipped. I told the Chief Prosecutor that I shared her desire to have Mr. Milosevic prosecuted at The Hague but was doubtful that Mr. Milosevic would be turned over to The Hague after my recent meeting in Belgrade.

The Chief Prosecutor and I also discussed the ongoing negotiations to establish an International Criminal Court and the concerns surrounding such a body. I told her that there were concerns in the United States Congress regarding the vulnerability of U.S. servicemen of being subjected to charges that are purely politically motivated and had no basis in fact. We discussed her consideration of requests by Russia and Yugoslavia under Milosevic to charge NATO officials with war crimes. Madam del Ponte told me that as a prosecutor she had no discretion in the matter and that, as a matter of course, she had to investigate the charges which she eventually deemed to be without merit.

I asked Madam del Ponte if the ICTY needed any additional resources. She told me that resources continued to be tight—stressing that there was a great deal of work to do collecting evidence of the war crimes and that additional resources would be beneficial.

My next meeting was with ICTY Judge Patricia Wald who resigned from

the federal judiciary to serve at The Hague. We discussed the functioning and legal rules of the ICTY. Judge Wald informed me that the ICTY bench consists of members from the U.S., England, France, Australia, Portugal, Italy, China, Vienna, Malaysia, Zambia, Colombia, Jamaica and Egypt.

My meetings with Chief Prosecutor Carla del Ponte and Judge Pat Wald, following on my earlier meetings in Belgrade, supported my notion that bringing Milosevic to justice at The Hague rather than in Yugoslavia would prove to be complicated. The new Yugoslavian democratic government's persistence on trying Milosevic in Serbia and the ICTY's insistence that it had primacy over Milosevic established the complexity of the issue. The concept on an International Criminal Court arose because of the failure of national courts to bring individuals like Milosevic to trial. On the one hand, to permit Yugoslavia to try Milosevic, at least first, would encourage national courts to deal with such issues. On the other hand, Madam del Ponte's adamance that the ICTY had primacy granted under U.N. Resolutions and should not have to negotiate. She further expressed her concern that Yugoslavia could not be trusted to prosecute Milosevic due to problems of witness intimidation and the Milosevic regime still retaining influence in the Justice system. It is a difficult problem with no easy solution.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

EXECUTIVE SESSION

NOMINATION OF TOMMY G. THOMPSON TO BE SECRETARY OF HEALTH AND HUMAN SERVICES—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will now go into executive session and resume consideration of the nomination of Tommy G. Thompson, which the clerk will report.

The legislative clerk read the nomination of Tommy G. Thompson, of Wisconsin, to be Secretary of the Department of Health and Human Services.

The PRESIDING OFFICER. Under the previous order, there will now be 10 minutes each under the control of the Senator from Iowa, Mr. GRASSLEY; the Senator from Montana, Mr. BAUCUS; and the Senator from Massachusetts, Mr. KENNEDY.

The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I yield myself such time as I might consume.